

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

YVONNE MCDONALD

Plaintiff,

v.

EMPLOYMENT SECURITY
DEPARTMENT, et al.,

Defendant.

CASE NO. No. 13-5248-RBL

ORDER DENYING MOTION TO
APPOINT COUNSEL

[DKT. #2]

THIS MATTER is before the Court upon Plaintiff's Motion for Court-Appointed Counsel [Dkt. #2].

There is no right to counsel in a civil case. The Court may appoint counsel under 28 U.S.C. § 1915(e)(1) in exceptional circumstances. *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986). A finding of exceptional circumstances requires an evaluation of both the likelihood of success on the merits and the ability of the Plaintiff to articulate her claims *pro se*. *Id.*

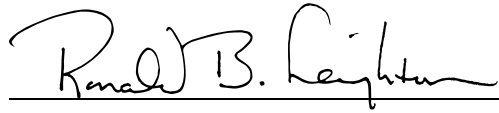
The plaintiff has not shown that she is likely to succeed on the merits of the case. As the court explained in its order denying Plaintiff's motion to proceed *in forma pauperis*, the

1 proposed complaint fails to state a claim for which relief could be granted. Plaintiff's Motion for
2 Court-Appointed Counsel is **DENIED**.

3 **IT IS SO ORDERED.**

4 The Clerk shall send uncertified copies of this order to all counsel of record, and to any
5 party appearing pro se.

6 Dated this 9th day of May, 2013.

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9 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE